

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

DAVID STONE, et al.,

Defendants.

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DATE FILED: 11/29/2022

22 Civ. 3553 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

The Court has reviewed Defendant John Robson's ("Robson") request for a pre-motion conference regarding a proposed motion for reconsideration of the Court's October 7, 2022 Order, as well as the SEC's response, and Robson's reply to the SEC. (See Dkt. Nos. 151, 154, 158.) The Court is not persuaded that a pre-motion conference or further briefing is necessary. The Court deems Robson's submission to be a filed motion on a non-dispositive matter.

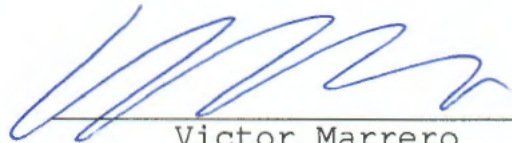
As the parties acknowledged in their submissions, "[r]econsideration of a court's previous order is an extraordinary remedy to be employed sparingly in the interests of finality and conservation of scarce judicial resources," and "the standard of review applicable to such a motion is strict." Sikhs for Justice v. Nath, 893 F. Supp. 2d 598, 605 (S.D.N.Y. 2012) (citations and quotations omitted); see also Local Rule 6.3. Moreover, the "burden is on the

movant to demonstrate that the Court overlooked controlling decisions or material facts that were before it on the original motion, and that might materially have influenced its earlier decision." Sikhs for Justice, 893 F. Supp. 2d at 605 (S.D.N.Y. 2012) (citations and quotations omitted). Thus, a "party seeking reconsideration may neither repeat arguments already briefed, considered and decided, nor advance new facts, issues or arguments not previously presented to the Court." Id. The movant must "point to controlling decisions or data that the court overlooked – matters, in other words, that might reasonably be expected to alter the conclusion reached by the court." Id.

Upon a careful review of the parties' submissions and the Court's October 7, 2022 Order, the Court finds that Defendant Robson has not demonstrated that the Court overlooked controlling decisions or material facts that were before it on the original motion. Accordingly, the Motion for Reconsideration is hereby DENIED.

SO ORDERED.

Dated: 29 November 2022
New York, New York



Victor Marrero
U.S.D.J.